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 CONSULTING FIDUCIARIES, INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

10
 11 HILDA L. SOLIS,
 Secretary of the United States
 12 Department of Labor,

13 Plaintiff,

14 v.

15 DENNIS WEBB, MATTHEW FIDIAM, J.
 16 ROBERT GALLUCCI, CONSULTING
 FIDUCIARIES, INC., and THE PARROT
 17 CELLULAR EMPLOYEE STOCK
 OWNERSHIP PLAN,

18 Defendants.

Case No.: C 12-2055 EMC

Honorable Judge Edward M. Chen

**STIPULATION TO CONTINUE
 NOVEMBER 15, 2012 HEARING DATE
 ON PLAINTIFF'S MOTION TO STRIKE
 CONSULTING FIDUCIARIES, INC.'S
 AFFIRMATIVE DEFENSES;
 [PROPOSED] ORDER**

Order resetting CMC from 11/15/12 to
 11/14/12 at 9:30 a.m.

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 20 Pursuant to Civil Local Rules 6-1, 6-2 and 7-12, plaintiff Hilda L. Solis ("Plaintiff") and
 21 defendant Consulting Fiduciaries, Inc. ("CFI") state the following. On July 31, 2012, Plaintiff
 22 filed a Motion To Strike CFI's Affirmative Defenses [Docket No. 49]. On August 14, 2012, CFI
 23 filed a Memorandum in Opposition to Plaintiff's motion. [Docket No. 50]. On August 21, 2012,
 24 Plaintiff filed a Reply to CFI's Opposition. [Docket No. 54]. The hearing for this motion was
 25 originally scheduled for September 14, 2012 at 1:30 p.m., but on September 6, 2012, pursuant to
 26 the stipulated request of the parties, the Court continued the hearing to November 16, 2012.
 27 [Docket Nos. 57-58]. On September 17, 2012, the Court issued a Clerks Notice resetting the
 28 hearing from November 16, 2012 to November 15, 2012 at 2:30 p.m. [Docket No. 59]. On

November 1, 2012, the Court issued a Clerks Notice resetting the hearing from November 15, 2012 at 1:30 p.m. to November 15, 2012 at 9:30 a.m.

The parties, through their undersigned counsel, have met and conferred and agree that it is in the interest of the parties and the interests of justice to continue the hearing on Plaintiff's Motion to Strike CFI's affirmative defenses from November 15, 2012 to January 11, 2013 at 1:30 p.m. This extension of time does not alter the date of any event or any deadline already fixed by Court Order.

IT IS SO STIPULATED.

Date: November 6, 2012

PLAN BENEFITS SECURITY DIVISION
OFFICE OF THE SOLICITOR
U.S. DEPARTMENT OF LABOR

By: /s/ Eric C. Lund
Attorney for Plaintiff
HILDA L. SOLIS
Secretary of the United States
Department of Labor

Date: November 6, 2012

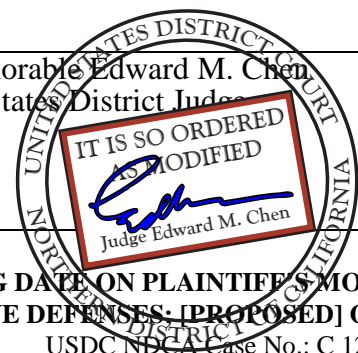
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

By: /s/ Shivani Nanda
RALPH W. ROBINSON
SHIVANI NANDA
Attorneys for Defendant
CONSULTING FIDUCIARIES, INC.

ORDER

Good cause appearing therefore, **IT IS HEREBY ORDERED** that the hearing on Plaintiff's Motion to Strike CFI's Affirmative Defenses is continued from November 15, 2012 to January 11, 2013 at 1:30 p.m. The CMC set for November 15, 2012 at 1:30 p.m. is rescheduled to November 14, 2012 at 9:30 a.m. A joint CMC Statement shall be DATED: 11/7/12 filed by November 8, 2012.

By The Honorable Edward M. Chen
United States District Judge



ATTESTATION CERTIFICATE

In accord with the Northern District of California's General Order No. 45, Section X.(B), I attest that concurrence in the filing of this document has been obtained from each of the other signatories who are listed on the signature page.

/s/ Shivani Nanda

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